

1 DANIEL J. BERGESON, Bar No. 105439
2 dbergeson@be-law.com
3 MELINDA M. MORTON, Bar No. 209373
4 mmorton@be-law.com
5 DONALD P. GAGLIARDI, Bar No. 138979
6 dgagliardi@be-law.com
BERGESON, LLP
303 Almaden Boulevard, Suite 500
San Jose, CA 95110-2712
Telephone: (408) 291-6200
Facsimile: (408) 297-6000

7 Attorneys for Plaintiff
VERIGY US, INC.

12 VERIGY US, INC, a Delaware Corporation
13 Plaintiff,
14 vs.
15 ROMI OMAR MAYDER, an individual;
16 WESLEY MAYDER, an individual; SILICON
17 TEST SYSTEMS, INC., a California Corporation;
18 and SILICON TEST SOLUTIONS, LLC, a
California Limited Liability Corporation,
inclusive,
Defendants.

Case No. C07 04330 RMW (HRL)

**VERIGY'S ADMINISTRATIVE MOTION
FOR LEAVE TO FILE DOCUMENTS
UNDER SEAL**

Judge: Hon. Howard R. Lloyd
Ctrm.: 2, 5th Floor

Complaint Filed: August 22, 2007
Trial Date: None Set

21 AND RELATED CROSS-ACTIONS

1 Pursuant to Civil Local Rules 7-11(a) and 79-5(b), plaintiff Verigy U.S., Inc. ("Plaintiff"
2 or "Verigy") requests that the following materials be filed under seal, because they contain
3 confidential information that is protected by the Stipulated Protective Order entered by the Court
4 on August 29, 2007. The documents submitted under seal include:

5 1. Portions of Verigy Inc.'s Memorandum of Points and Authorities in Opposition to
6 Defendants' Motion to Quash Subpoena Served on Mount & Stoelker PC (the "Opposition").

7 These materials (hereafter "the Materials") each disclose information that has been
8 designated as "Highly Confidential—Attorneys' Eyes Only" or "Confidential" by the parties
9 under the protective order, without objection to those designations (although Verigy reserves its
10 rights to challenge such designations pursuant to the Stipulated Protective Order). Although the
11 information in the Materials has been designated as protected from disclosure under the Protective
12 Order, Verigy relies on this information in support of its MSA. The parties' confidentiality
13 interest therefore overcomes the right of public access to the record, as a substantial probability
14 exists that the parties' overriding confidentiality interest will be prejudiced if the record is not
15 sealed. Further, the proposed sealing is narrowly tailored and no less restrictive means exist to
16 achieve this overriding interest.

17 Pursuant to Local Civil Rule 79-5(b)-(c), Verigy therefore lodges the Materials with this
18 Court, and respectfully requests leave to file the aforementioned documents under seal.

19 Dated: September 16, 2008

BERGESON, LLP

20 By: _____/s/
Donald P. Gagliardi

21 Attorneys for Plaintiff
22 VERIGY US, INC.

23

24

25

26

27

28